

APSC Defers**Segregation
Hearing Date****Railroads, Negroes Ask
Delay; Dr. Patterson
Points To Difficulty**

The Alabama Public Service Commission Monday postponed until Jan. 14 a hearing on its order requiring railroads to segregate white and negro passengers by partitions and curtains if separate accommodations are not available. *12-18-45*

R. E. Steiner, of Montgomery, chairman of the Alabama Railroad Association, requested the continuance on the grounds many of the lines involved could not be represented Monday.

Steiner told the commission the carriers recognized the state's segregation law "has to be complied with," but that they were anxious to "discuss details" of the commission's order. The APSC, at Steiner's request, also postponed for one month, until Feb. 1, the effective date of the directive. *12-20-45*

A delegation of negroes from various parts of the state was in the commission chamber for the hearing which had been scheduled for Monday, but agreed to wait until Jan. 14 to present their protests.

Commission Chairman Gordon Persons meanwhile disclosed receipt of a letter from President F. D. Patterson of Tuskegee Institute contending the order "will not actually accomplish what is desired" and would "prove an acute embarrassment to negro passengers." *12-18-45*

The only way to "complete compliance," Dr. Patterson wrote, is to provide separate coaches or Pullman quarters for negroes, and he asked the commission to show "leniency until this can be done."

**Patterson Warns
APSC on JC Rule**

Montgomery, Ala. — President Frederick D. Patterson of Tuskegee Institute has informed the Alabama Public Service Commission that its recent directive, requiring railroads to segregate white and colored passengers by partitions and curtains, if separate accommodations are not available, "will not actually 'accomplish' what is desired."

The educator told the Commission its directive would "prove an embarrassment to colored passengers, and that the only way to complete compliance is to provide 'separate coaches or Pullman quarters' for them."

President Patterson urged "leniency" until this can be done.

Colored Citizens Balk

A hearing scheduled before the Commission on Dec. 17 was postponed until Jan. 14, 1946, when R. E. Steiner, of Montgomery, chairman of the Alabama Railroad Association, asked a continuance because many of the lines involved could not be represented then. *12-20-45*

The Commission also postponed for one month, until Feb. 1, 1946, the effective date of the directive at Steiner's request, to allow the railroads to discuss "details" of the order.

A large delegation of colored leaders and citizens from all sections of the state who were present in the Commission's office on Dec. 17 to present their protests, also agreed to wait until January 14.

Pastor Serves On Essex Grand Jury

New York Amsterdam News

NEWARK, N. J.—The Rev. Thomas L. Puryear, resident manager of the Douglass-Harrison Apartments in the Third Ward, and pastor of the St. Matthew A. M. E. Church, Orange, is serving as a member of the present term of the Essex County Grand Jury. He was sworn in last Tuesday by Supreme Court Justice Charles Parker.

A native of Virginia, Mr. Puryear is a former dean of men at Va. State College, Petersburg, Va., where he was also coach of the baseball team; a Y. M. C. A. Chaplain in World War I, and executive secretary of the N. J. Urban League.

His wife is Mrs. Pauline Sims Puryear, sister of Bishop David A. Sims of Philadelphia.



WALTER MURPHY

Journal & Guide Clinton Man *Norfolk, Va.* On U. S. Jury

By GEORGE F. PETERSON

CLINTON, N. C. — Walter Murphy of Lisbon street, Clinton, has been summoned to serve as a juror in the District Court of the United States for the Eastern District of North Carolina, to be held in Wilmington, N. C. beginning this week.

JUDGE GILLIAM PRESIDES

The court will be presided over by Judge Don Gilliam.

Mr. Murphy is the third Negro to serve in this county since the days of re-construction. Those heretofore honored were the late Rev. Dudley Cowan of Delway, N. C. who served on a federal jury in Fayetteville, N. C.; and Sutin Peterson of Parkersburg who served in Wilmington.

First Ala. All-Negro Jury Chicago Defender Turns Down Damage Suit

4-24-45
By JOHN LEFLORE
(Defender Staff Correspondent)

BIRMINGHAM, Ala.—Alabama made history this week when an all-Negro petit jury of 11 men tried a civil suit in the Jefferson county circuit court involving Negro principals, and refused to grant \$5,000 damages sought by the plaintiff.

In the action, James Thomas, 18, sought damages of \$5,000 from Mrs. Olivia Nix, proprietress of a cafe. The youth claimed that Mrs. Nix shot him without provocation while he was in her cafe.

However, evidence brought out at the trial indicated that Thomas entered the cafe, and was boisterous.

When Mrs. Nix ordered Thomas to desist and leave the place, he picked up a bottle and threatened to strike her with it. She stated that she was compelled to shoot the youth to protect herself from bodily harm.

It took the jury only 56 minutes to refuse to award any damages in the suit. *Chicago, Ill.*

The eleven men were all of the Negroes on the jury panel. By agreement of the defendant's attorney, Horace Alford white, and the plaintiff's attorney, Harrison Kendrick, also white, it is believed that the first all-Negro jury in the annals of the state of Alabama, at least since Reconstruction days, served on a case.

The case was tried in the court of Judge R. B. Evans.

A far-reaching effect on jury selections throughout the South may come about as a result of the Jefferson County all-Negro experiment. The jurors are said to have won the praise of court officials for the serious manner in which they took their responsibility. In an instance when certain points were not clear to them, they sought explanations from the court.

Members of the jury were: Ross Bogan steelworker; Rev. Calvin H. Davis, Gus Hill, retired miner; Rev. W. S. Edwards, W. L. Hollingsworth, steelworker; James Johnson, laborer; Joseph Keelen, engineer; Rev. R. Turner, Cleveland Wallace, laborer; Rev. Monroe Whitt, and Polk J. Winfield, switchman.

Negro leaders in Birmingham, Montgomery and Mobile are believed to be planning to request that all-Negro juries be selected to try many of the criminal cases, especially homicides, involving only Negroes, in view of the leniency shown many Negro criminals by all-white juries when all of the principals are Negroes. At

the same time Negro representation upon all juries, regardless of the race of the principals, will be insisted upon

Hudson County Has First Negro Juror

JERSEY CITY, N. J.—Harold S. Williamson, 42-year-old local printer, is the first Negro ever to be picked for the Hudson County Grand Jury. He was sworn in for the April term of the body.

According to former Deputy Attorney-General Robert Hartgrove, Negro Democratic leader here for many years, a movement was started about 25 years ago, to exert pressure upon the jury commissioners to see that the colored people should have a chance to serve on grand juries in Hudson County. The move, however, was abortive.

In contrast, there could have been two on this year's 23-man grand jury. But the other Negro on the list, Rev. William A. Epps, of 521 Bramhall avenue, Jersey City, requested that he be excused. Rev. Mr. Epps felt he would be out of place, inasmuch as his son, John Epps, is on the Hudson County prosecutor's staff of investigators. Mr. Williamson, a lifelong resident of Jersey City, has been in the printing and advertising business since 1921. He is a former justice of the peace.

H. Y. N. Y. Harold Lubell.

Jury Begins Deliberation With Prayer

Pictured above are the all-Negro jury: Ross Bogan, Rev. Calvin Davis, Rev. W. S. Edwards, Gus Hall, W. L. Hollingsworth, James Johnson, Joseph F. Keelen, Rev. R. Turner, Cleveland Wallave, Rev. Monroe Whitt and Polk J. Winfield.

Atty. Horace Alford, widely known attorney, states that when told that at the time the case was to be tried, that he was informed that there were only available the eleven Negro jurors. He requested that they be sent up to serve, inasmuch the matter before the court involved members of their own race and that the men, law-abiding tax payers also as much a part of our whole setup as any one else.

Juries-- Negroes

The jurors gave a good account of themselves. When they had been charged by Judge Evans, they retired to the jury room and began their deliberation with prayer and brought in a verdict for Mrs. Olivia Nix.

The Weekly Review asked several of its readers if they would just as soon be tried by a Colored as a White Jury and surprisingly as it may seem the reply was invariably, "Just as soon be tried by one as the other, both are about the same except for color of skin."

It would be fair to say that the court attorneys, defendant permitted salutary history to be made in accepting this first All-Negro jury in the history of Jefferson County. This is a step in the right direction and with the County's population being 60-40 appearance of a Negro juror in any Court at any time should be looked upon as it should be.

Hudson Co. Negro Gets on Grand Jury

Harold S. Williamson, 43-year-old printer of 765 Ocean Ave., Jersey City, today became the first Negro ever to become a member of a grand jury in Hudson County. He will serve during the April term.

Robert S. Hartgrove, Negro civic leader and former Deputy Attorney General of New Jersey, said no other Negro ever had performed grand jury service in the county, although 25 years ago a group pressed for such service.

Williamson, son of Mrs. Marie Williamson of Jersey City, is a former justice of the peace.

Tenn. Grand Jury Includes Negroes For First Time

MEMPHIS, Tenn. — To forestall a possible appeal move of the jury question by defense counsel, Shelby county court officials included two Negroes on a grand jury which last Tuesday indicted two Negroes on charges of killing a white truck driver, Andrew J. Mitchison, 34, on Saturday night, April 14.

The Negro jurors were John M. Buford, 1450 Rozell street, and D. J. Thomas, 2551 Carnes. They were sworn in as special members of the grand jury. The Negro defendants charged with the murder of Mitchison are John Outlow, alias

Outlaw, 27, 225 Lyons, and Thomas all-white or a mixed jury. Walker, 33, of Oakville.

Court officials admitted that Negroes are seldom called for grand jury service in this county but all white cases before the white jurors and the Negro cases before the Negro juries." Garrett said. He said under the present system of obtaining jurors, it would be almost an impossibility to get an all-Negro jury.

"I realize the insurmountable hindrances to effecting such a plan. However, I certainly wish it could be done."

The fall term of Bibb superior court has 11 murder cases on the docket, all involving Negro defendants.

Robbery was said to have been the motive for the murder, although the woman also sought to implicate Outlow in an attempted attack. However, because the grand jury returned true bills charging first degree murder, Atty-Gen. Will Gerber would not press the alleged attempted criminal assault charge.

Negroes Serve On Grand Jury In Tennessee

KNOXVILLE, Tenn.—For the first time in Tennessee's history, three Negro men are serving on the grand jury in federal court here, it was revealed this week.

Two more colored jurors are serving on the grand jury in the state court. A noticeable change in the attitude towards Negroes performing jury duty has become widespread throughout the South. In Alabama it is reported that in Montgomery and other cities colored men are serving creditably.

Some time ago, a Negro, Doc Goode, was foreman of a murder trial jury in Wise County, Va. Goode, the only Negro on the jury, was the first colored man in the history of Virginia and the South to be made foreman over white jurors.

All-Negro Juries Urged To Pass on Negro Cases

MACON, Ga., Sept. 6.—(AP)—All-Negro juries were advocated by Charles H. Garrett, Bibb county solicitor general, in trying murder cases involving Negro defendants.

He said he believed 12 Negro jurors would take considerably more interest in the trial of a Negro homicide case than either an

Serving on Grand Jury, Md. Afro-American Baltimore



Mr. Wilson, registrar at Morgan State College, and Mr. Young, a real estate dealer, are members of the Criminal Court grand jury for the September term. Ralph V. Cook, retired teacher, is also serving on the grand jury of the U.S. District Court in Baltimore.

ROBERT J. YOUNG

EDWARD N. WILSON

9-7-45